

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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In Re: RFC and RESCAP Liquidating  
Trust Action

Case No. 13-cv-3351 (SRN/HB)

**ORDER**

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SUSAN RICHARD NELSON, United States District Judge

Before the Court are letters from the parties concerning their efforts to resolve certain pretrial evidentiary issues. (*See* Doc. Nos. 4333, 4336, 4340.) The parties request a hearing on these issues, but disagree about whether the hearing should be conducted via telephone or in person. (*See* Doc. No. 4333 at 1; Doc. No. 4336 at 2–4; Doc. No. 4340 at 1.) The request for a hearing is **GRANTED**, and given the number of issues to address, it will be conducted in person.

The hearing will be held on September 14, 2018, from 9:30 a.m. to 12:30 p.m. (CDT). Only the Defendant whose case is going to trial on October 15, 2018 is ordered to appear. Prior to the hearing, the parties shall continue to meet and confer until they reach impasse, to discuss the admissibility of the categories of evidence subject to disagreement.

No later than September 11, 2018, at noon (CDT), each Defendant shall file letter briefs, no longer than eight pages in length, identifying the categories of documents upon which they disagree with Plaintiffs, accompanied by two examples of documents and/or deposition evidence representative of each category. As to each category of evidence, and consistent with the Court’s ruling on summary judgment, each Defendant shall identify the general purpose of the testimony, e.g., causation, reasonableness of the settlement, equitable

estoppel, damages, allocation.

Plaintiffs shall file reply letter briefs, no longer than eight pages in length, no later than September 12, 2018, at 5 p.m. (CDT).

**IT IS SO ORDERED.**

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Dated: September 4, 2018

s/Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States District Judge